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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,912	09/14/2000	Saeed Azimi	MP0043	9508

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[REDACTED] EXAMINER

KING, JUSTIN

[REDACTED] ART UNIT

[REDACTED] PAPER NUMBER

2181

8

DATE MAILED: 08/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/661,912	AZIMI, SAEED
	Examiner	Art Unit
	Justin I. King	2181

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 5/27/03.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

4) Claim(s) 1-75 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-75 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 14 September 2000 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). _____ .

2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . 6) Other: _____ .

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the structure of the mode selection information in claims 2-5, 7-10, 12-15, 17-20, 22-25, 27-30, 32-35, 37-40, 42-45, 47-50, 52-55, 57-60, 62-65, 67-70, and 72-75 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1, 6, 11, 16, 21, 26, 31, 36, 41, 46, 51, 56, 61, 66, and 71 are rejected under 35 U.S.C. 112, first paragraph, as based on a disclosure which is not enabling. The operation of the latency-independent interface is critical or essential to the practice of the invention, but not included in the claim(s) is not enabled by the disclosure. See *In re Mayhew*, 527 F.2d 1229, 188

USPQ 356 (CCPA 1976). The claim does not include how to operate the interface with the claimed elements.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 6, 11, 16, 21, 26, 31, 36, 41, 46, 51, 56, 61, 66, 71 are rejected under 35 U.S.C. 102(b) as being anticipated by Aoki (U.S. Patent No. 6,272, 589).

Referring to claims 1, 6, 16, 21, 31, 36, 41, 46, 51, 56: Aoki discloses a data gate circuit (figure 2, structure 10) for receiving and transmitting signals, a data circuit (figure 2, structure 6), a media gate circuit (figure 2, structure 8) for receiving and transmitting data, a buffer attention circuit (figure 1, structure 51), and a mode selection circuit (figure 1, structure 50). Hence, claims are anticipated by Aoki.

Referring to claims 11 and 26: Aoki's disclosure is stated above. The portions of the Aoki's circuits with transmitting function are the claimed first circuits, and the portions of the Aoki's circuits with receiving function are the claimed second circuits.

Referring to claims 61, 66, 71: Aoki's disclosure is stated above; furthermore, the software program (stored in figure 2, structure 9) in Aoki's system executing the signal transmitting and receiving is the instruction in the preamble.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

8. Claims 2-5, 7-10, 12-15, 17-20, 22-25, 27-30, 32-35, 37-40, 42-45, 47-50, 52-55, 57-60, 62-65, 67-70, 72-75 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of the Aoki and Dunn et al. (U.S. Patent No. 5,274,772).

Referring to claims 2-3, 7-8, 12-13, 17-18, 22-23, 27-28, 32-33, 37-38, 42-43, 47-48, 52-53, 57-58, 62-63, 67-68, and 72-73: Aoki's disclosure is stated above, but Aoki does not explicitly disclose the tag information and control information. Both Dunn and Lee teach the packet format. Dunn discloses the packet format with the physical location of the data (column 3, lines 49-54), which is the tag command; Dunn discloses facilitating the successive packet header (column 4, lines 42-44), which is the control information. Hence, it would have been obvious to one having ordinary skill in the computer art to adapt Dunn's teaching on packet format to Aoki because Dunn enables one to maintain data integrity in packet transmitting.

Referring to claims 4, 9, 14, 19, 24, 29, 34, 39, 44, 49, 54, 59, 64, 69, and 74: Dunn discloses that the host processor sends a command to disable/reset the autoblocking (column 8, lines 16), which is the claimed reset command.

Referring to claims 5, 10, 15, 20, 25, 30, 35, 40, 45, 50, 55, 60, 65, 70, and 75: Dunn discloses the size information (column 4, lines 5-6).

Response to Amendment

9. Examiner withdraws the allowable subject matter.

Conclusion

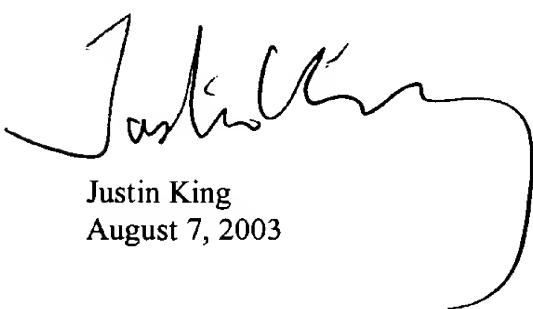
10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

"IEEE Standard 1394 Serial Bus" by Lee, ChangHan: It discloses common practice of the 1394 packet format.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin King whose telephone number is (703) 305-4571. The examiner can normally be reached on Monday through Friday from 9:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessfully, the examiner's supervisor, Mark Reinhart can be reached at (703) 308-3110.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose number is (703)-306-5631.



Justin King
August 7, 2003



Gopal C. Ray
GOPAL C. RAY
PRIMARY EXAMINER
GROUP 2300